

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kevin Livingston Knisely,

Civil No. 08-1125 (PAM/FLN)

Plaintiff,

v.

ORDER

United States of America,

Defendant.

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Franklin L. Noel dated February 18, 2010. In the R&R, Magistrate Judge Noel recommended that Defendant’s Motion to Dismiss and for Summary Judgment be granted due to Plaintiff’s failure to prosecute. Plaintiff has failed to file objections to the R&R in the time period permitted. The Court therefore **ADOPTS** the R&R (Docket No. 73).

Accordingly, **IT IS HEREBY ORDERED** that:

1. Defendant’s Motion to Dismiss and for Summary Judgment is **GRANTED**;
and

2. This matter is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY

Dated: Tuesday, March 9, 2010

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge